

MDL 1570 PLAINTIFFS' EXECUTIVE COMMITTEES

In re: Terrorist Attacks on September 11, 2001 (S.D.N.Y.)

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October 12, 2020

The Honorable Sarah Netburn
Thurgood Marshall United States Courthouse
40 Foley Square, Room 430
New York, NY 10007

RE: *In Re: Terrorist Attacks on September 11, 2001*, 03 MDL 1570 (GBD) (SN)

Dear Judge Netburn:

In reply to the Kingdom of Saudi Arabia's letter of October 8, 2020, ECF No. 6489, Plaintiffs offer for the Court's consideration an additional new analysis published by Bloomberg News on Friday, October 9, 2020. *See Exhibit A.*

Among other relevant assessments, the Bloomberg article reports that "Israeli intelligence figures and other experts . . . were in no doubt that he [Prince Bandar] was speaking for the Palace and, more specifically, Crown Prince Muhammed ben Salman" in Ambassador Bandar's interview on the Saudi state-controlled Al Arabiya news channel.

The Bloomberg article further demonstrates the utter implausibility of Saudi Arabia's attempt to minimize the realities of the Al Arabiya interview and analysis in the earlier submitted New York Times article, as "mere speculation" of a New York Times reporter. Rather, it shows that it is the consensus of knowledgeable Saudi experts that Prince Bandar was specifically speaking for the Saudi state in the interview. These assessments reflect the experts' understanding of the nature of the Saudi state, and the functional role of senior Royals in the Saudi governance system. The interview and related analyses further demonstrate not only that Prince Bandar continues to serve the Saudi state, but also provide additional context for Prince Abdulaziz bin Fahd's public actions in service of the Crown.

Plaintiffs thank Your Honor in advance for the Court's consideration of this new evidence.

Honorable Sarah Netburn

October 12, 2020

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Respectfully submitted,

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cc: The Honorable George B. Daniels (via ECF)
All MDL Counsel of Record (via ECF)

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EXHIBIT A

Bloomberg Opinion

Politics & Policy

A Saudi Prince Declares Independence From Old Obligations

Prince Bandar bin Sultan has accused Palestinians of serial self-harm over many decades. His own country no longer wants to be part of it.

By

Zev Chafets

October 9, 2020, 6:12 AM EDT



Says Palestinian leaders have failed. Photographer: Hassan Ammar/AP

This week, in a three-part series on government-controlled Al Arabiya television, Saudi Arabia served the Palestinian leadership with a writ of divorce and a stinging bill of particulars that explained the break-up. Delivered by Prince Bandar bin Sultan, the country's leading elder statesman, it brutally laid out the failures of Palestinian leaders going back more than 70 years. It also suggests the futility of present Palestinian policies and the grim future it will bring the people it is supposed to represent.

No Arab government has ever issued such a harsh public denunciation of the Palestinian movement. Bandar, a longtime former Saudi ambassador to Washington and former secretary general of the Saudi National Security Council is now a private citizen, but Israeli intelligence figures and other experts I asked with were in no doubt that he was speaking for the Palace and, more specifically, Crown Prince Muhammed ben Salman. Indeed, the director of the Crown Prince's bureau, Badr Al-Asaker, publicly praised the series as "full of facts."

Bandar spoke in Arabic, to make sure these facts reached every country in the region, with English subtitles for an international audience. He began by affirming Saudi support "for all legitimate rights of the Palestinian people," and chronicled the ways in which his government has stood steadfast during decades of futility and regression. "The Palestinian cause is a just cause but its advocates are failures," he said. "The Israeli cause is unjust but its advocates have proven to be successful."

He begins with the first Palestinian advocate, the Mufti of Jerusalem. "Amin El Hussein in the 1930s was betting on the Nazi in Germany," Bandar recalled. "He was recognized by Germany, Hitler and the Nazis for standing with them against the allies." But Bandar notes that apart from Berlin radio broadcast recordings, his loyalty got him nothing and he did no good for the Palestinian cause.

Bandar goes on to mention a list of similar bad choices and decisions: The Arab rejection of the 1948 United Nations partition plan that would have given the Palestinians a state. The Arab League's rejection of UN Resolution 242 after the 1967 War that called for an Israeli withdrawal from occupied territories; and the Palestinian Liberation Organization rejection of the Clinton Plan in 2000 that would have given the Palestinians a state in most of the West Bank and Gaza.

The most interesting rejection came in 1979, at Camp David. Israel offered Palestinians autonomy in the occupied territories. Yasir Arafat, turned it down flat. Sixteen years later, Arafat signed the Oslo Accord with Israel. Bandar asked him at the time to compare that deal with the terms he had

turned down 16 years earlier. Arafat said that the autonomy offer was “10 times better” than Oslo.

Bandar asked Arafat why, then, he rejected such a good deal at Camp David. Arafat replied, according to Bandar, that he wanted to sign but refrained because Hafez al Assad (then Syria dictator and father of the current Syrian dictator) threatened to kill him if he did. “I remember thinking at the time,” Bandar told his audience, “that he could have been one martyr and saved millions of Palestinians.”

The story is not only a slap at Arafat but the present leaders in Ramallah who practice a similar brand of negative diplomacy. “An opportunity comes and it is lost,” says Bandar. By the time the Palestinians come around to the idea it’s no longer on the table. Significantly, that is also so far true of the Palestinian rejection of the current American peace plan, which is modelled on modelled on the 1979 autonomy offer that Arafat rejected to his regret, although, given that hundreds of thousands Israelis now live in these territories, and Gaza and the West Bank are separated for now, the proposed size of the autonomy would be smaller.

Prince Bandar is candid about the reasons for his monologue. First, he wants a record of how hard the Saudis have worked on behalf of the Palestinians over the decades. Second, he intends to reassure the UAE and Bahrain, which are being vilified by the Palestinians for recognizing Israel -- and any other Arab country contemplating a similar step -- that the Saudis have their back.

Third, he is calling out the PLO and Hamas for making alliances with non-Arab countries Turkey and Iran, who the Saudis consider dangerous. He is signaling that the Saudis will deal only with a new generation of pragmatic, moderate and dependable Palestinian partners. About the current leaders, he is candid: “It is difficult to trust them and to do something for the Palestinian cause with them around.”

The prince, who posted all his words on social media, concludes with a declaration of independence from old obligations. “In my own personal opinion,” he says, “we are at a stage in which, rather than being concerned with how to face the Israeli challenges in order to serve the Palestinian cause, we have to pay attention to our national security and interests.” This

is not, of course, simply Bandar's personal opinion. It is the policy of the Saudi government that put him on the air for three days this week.

Israeli strategists have long shared this evaluation. They are hoping that the new Saudi position may move the Palestinians toward a more realistic view of their prospects.

This column does not necessarily reflect the opinion of the editorial board or Bloomberg LP and its owners.

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